United Nations A/65/930–S/2011/517

General Assembly
Security Council

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General Assembly
Sixty-fifth session
Agenda item 34
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-sixth year

Identical letters dated 11 August 2011 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of Georgia dated 9 August 2011, regarding the submission to the Russian Duma of the so-called agreements concerning Russia's military bases in Georgia's occupied territories and training against radiological and biological threats (see annex).

I should be grateful if you would have the present letter and its annex issued as a document of the General Assembly, under agenda item 34, and of the Security Council.

(*Signed*) Alexander **Lomaia**
Ambassador
Permanent Representative

11-45404 (E) 170811

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Annex to the identical letters dated 11 August 2011 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia in reaction to the submission to the Russian Duma of the so-called agreements concerning Russia's military bases in Georgia's occupied territories and training exercises against radiological and biological threats

On 8 August 2011, Russian President Medvedev submitted a series of so-called "agreements" concerning Russia's military bases in Georgia's occupied territories to the Russian Duma for ratification. This act, which Russia has taken on the eve of the third anniversary of Russia's full-scale military aggression against Georgia, is yet another cynical step by which Russia demonstrates its lack of respect for universally recognized norms and principles of international law, for its obligations according to the terms of the Ceasefire Agreement of 12 August 2008, and for the international community's consolidated stance regarding the inviolability of Georgia's internationally recognized sovereign borders, the ethnic cleansing which has taken place in its occupied territories and the need to de-occupy these very territories.

According to reports in electronic media, on the same day (8 August), Russia's radiological and biological defence forces held exercises in the Russian Federation's Southern Military District, as well as in the Republic of Armenia and in the so-called "republics" of Abkhazia and South Ossetia. These exercises, whose aim is to monitor nuclear explosions, to carry out radiological and biological reconnaissance, aero-isolation, disinfection and decontamination of equipment, will proceed in two stages and are due to end by 2 October. They will involve 600 servicemen and 160 military vehicles.

The deadlock Russia has found itself in following its occupation of Georgian territory and its recognition of the so-called "independence" of the occupation regimes has led the Russian government to carry out absurd actions such as these training exercises in defence against radiological and biological threats in Georgia's occupied territories.

If Russia really wishes to create a safe environment at its southern borders, the best way for it to do so would be to withdraw its occupying forces from Georgia's occupied territories, to agree to the deployment of international peacekeeping forces therein, to restore the functioning of the international monitoring missions it has expelled and, at the initial stage, to permit objective and unbiased monitoring of the situation by allowing the European Union monitoring mission (with which the Georgian authorities and law enforcement agencies cooperate in the spirit of mutual understanding and transparency) to access Georgia's occupied territories.

Georgia once again declares that it is committed to the non-use of force, reaffirms its readiness to cooperate with the international community and international organizations with the goal of establishing peace and stability in the region, and demands that the Russian Federation reciprocally commit to the non-use of force, that it desist from the militarization of Georgia's occupied territories, that it fully comply with the provisions of the commitments it has undertaken (notably those of the 12 August 2008 Ceasefire Agreement), and that it ensure the full de-occupation of occupied Georgian territory.

Tbilisi, 9 August 2011

United Nations A/65/931–S/2011/518

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Security Council

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General Assembly
Sixty-fifth session
Agenda items 36 and 52

Security Council
Sixty-sixth year

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Identical letters dated 8 August 2011 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith identical letters dated 8 August 2011 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council, containing a complaint against the Israeli occupation authorities, which decided to build a racist separation wall in the Occupied Syrian Golan, east of Majdal Shams (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the General Assembly under agenda items 36 and 52, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

11-45417 (E) 180811

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Annex to the identical letters dated 8 August 2011 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

On instructions from my Government, I should like to convey to you a complaint against the Israeli occupation authorities, which have begun building a racist separation wall in the occupied Syrian Golan.

In June 2011, the Israeli Government decided to build a racist separation wall east of Majdal Shams in the occupied Syrian Golan, allegedly in order to prevent Palestinians and Syrians from crossing the ceasefire line and reaching occupied Majdal Shams. The Israeli Corps of Engineers in fact began constructing the wall at the beginning of this past July, and an agreement was reached with Israeli contractors to build a wall eight metres high and four kilometres long. It should be noted that the ceasefire line between Israel and Syria in the occupied Golan is approximately 100 kilometres long. The Israeli Chief of Staff, Benny Gantz, has ordered that construction of the wall should be completed in September 2011, that is to say, before the United Nations vote concerning recognition of the Palestinian State. Israeli army bulldozers and heavy equipment have been excavating and levelling a strip of land a few metres wide along the ceasefire line next to Majdal Shams, from the Khillat al-Ramlah area in the north to al-Naqaqir in the south.

The wall that Israel has begun building will separate the occupied portions of the Syrian Golan from and break their geographical contiguity with the Syrian homeland. It will also result in the seizure of vast areas of land, estimated to be hundreds of dunums, which belong to Syrian Arab farmers who were deprived of their land when it was appropriated in the mid-1970s. The Israeli army took control of that territory after the conclusion of the 1974 Disengagement Agreement. The land, which is part of the occupied town of Majdal Shams, was used to grow grapevines, wheat, chickpeas, barley, apples, almonds and figs.

The aim of building a wall in the occupied Syrian Golan is to establish a new political and security reality, and it will also serve to impose a specific reality on any future peace negotiations concerning the occupied Golan. This wall will also have an extremely adverse effect on the population of the occupied Golan because it will separate them from and break their geographical contiguity with their homeland, Syria. All this is taking place against the backdrop of Israel's policy of aggression against the people of the Golan, a policy that includes detention, expulsion, exorbitant fines, prosecution and driving workers from their place of employment.

By carrying out such grave acts as modifying the geographic characteristics of the occupied Syrian Golan, in particular the laying of paved and unpaved roads for military use and the construction of a permanent cement wall, the Israeli authorities have violated international law and contravened the Disengagement Agreement between the Syrian and Israeli sides, which was concluded under the auspices of the great Powers and the Security Council. The Syrian Arab Republic insists that the United Nations and, in particular, the Security Council, must shoulder its responsibilities and immediately take all necessary measures to halt this action,

which is part of Israel's ongoing campaign to cut off the occupied Syrian Golan from the Syrian homeland. It is a flagrant violation of international law and the relevant United Nations resolutions, in particular Security Council resolution 497 (1981), in which the Council decided that Israel's annexation of the occupied Syrian Golan was null and void and without international legal effect.

Below is a list of the families that own the appropriated land on which the wall is being erected:

- Sons of Husayn Mahmud (Qubaybah, Arid al-Mit'hanah)
- Sulayman Tarif (land that previously belonged to Abdullah Shahadhah) — sons of Jamil Al-Sayyid Ahmad
- Sons of Farid Al-Sayyid Ahmad — sons of Salih Hamud Khalil Abu Salih
- Sons of Salih Husayn Abu Salih — Isam Al-Safadi (Safadi family — around 3 dunums)
- Children of Malham Al-Safadi
- Sulayman Shams (Shams family — around 45 dunums) — Isma'il Shams
- Mahmud Shams — sons of Yusuf Abu Arar (around 7 dunums)
- Sons of Mahmud Mali (around 12 dunums) — Haza' Mali — sons of Sulayman Abu Jabal
- Sons of Husayn Abu Jabal Salih Al-Salih (east of Masil)
- Sons of Mansur Abu Jabal — sons of Hassan Mahdi Fakhruddin
- Sons of Sulayman Salman Ibrahim — sons of Bahjat Al-Halabi — sons of As'ad Al-Halabi
- Sons of Ali Al-Sabbagh — sons of Sulayman Abu Zayd — Faris Abu Zayd
- Sons of Hamzah Ibrahim — sons of Said Samarah — sons of As'ad Al-Haddad (displaced persons: sons of Fa'iz Al-Qal'ani) — sons of Jamil Husayn Rida — sons of Sa'id Khattar — sons of Ali Al-Shufi — sons of Ali Ibrahim — sons of Najib Dhib Burayk (east of Masil)
- Sons of Jamil Husayn Ali Abu Salih (east of Masil) — Mi'sarah (on the land of Jamil Sayyid Ahmad) — sons of Faris Khuza'i Abu Salih
- Sons of As'ad Armun — sons of Hamad Maddah — Sulayman Hamdi Wahbi Abu Salih
- Ghazi Faris Wahbi Abu Salih (Mi'sarat al-Dibs — east of Al-Masil)

(*Signed*) Bashar **Ja'afari**
Permanent Representative of the Syrian Arab Republic

United Nations A/65/932–S/2011/519

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Security Council

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17 August 2011

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General Assembly
Sixty-fifth session
Agenda items 34, 39, 66 and 75

Security Council
Sixty-sixth year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Letter dated 16 August 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Armenia to the United Nations addressed to the Secretary-General

I would like to draw your attention to the unparalleled increase in ceasefire violations by Azerbaijan along the line of contact between Nagorno-Karabakh and Azerbaijan. This stands as yet another evidence that Azerbaijan violates commitments reached during the trilateral meetings of the Armenian, Russian and Azerbaijani Presidents on "additional efforts aimed at the reinforcement of the ceasefire and enhancement of confidence-building in the military sphere" and "to strive to solve all contentious issues through peaceful means".

Through circulating letters containing false information at the United Nations on a regular basis, Azerbaijan strives to falsify the root causes of the conflict, including by shifting its own responsibility for countless atrocities, systematic pogroms and barbaric killings of defenceless and innocent Armenian children, women and elderly in Nagorno-Karabakh, as well as in different parts of Azerbaijan. With this aim, Azerbaijan has recruited, financed, trained and used mercenaries closely linked to terrorist organizations.

The letter of the Azerbaijani representative to the United Nations circulated as document A/65/921-S/2011/492, dated 3 August 2011, represents a new example of anti-Armenian hate propaganda conducted by the leadership of Azerbaijan.

The letter reveals that the representative of Azerbaijan has apparently taken it upon himself to blatantly interpret, or rather misinterpret, the remarks made by the

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President of Armenia, Serzh Sargsyan, singling out of context certain parts of the statement, and thus completely misrepresenting its essence.

On many occasions the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE) called on the parties to consolidate the ceasefire, withdraw snipers from the line of contact and carry out other confidence-building measures. Azerbaijan rejected all of them. By regular violations of the ceasefire, provocations on the line of contact, threats of use of force and circulation of the above-mentioned letters at international organizations, Azerbaijan, in fact, continually destroys the confidence instead of engaging in confidence-building.

Furthermore, Azerbaijan rejected the proposal of the Co-Chairs of the Minsk Group on Nagorno-Karabakh conflict resolution at the meetings of the Presidents of Armenia, Russia and Azerbaijan in June 2010 in St. Petersburg, in October 2010 in Astrakhan, in March 2011 in Sochi and in June 2011 in Kazan. This is the reason why the negotiation process has not produced results.

Despite Azerbaijan's non-constructive stance, Armenia remains committed to the peaceful resolution of the Nagorno-Karabakh issue, strongly believing that the solution of the problem must be achieved only by peaceful means based on the principles of international law.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Karine **Khoudaverdian**
Chargé d'affaires a.i.

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United Nations S/2011/520

Security Council

Distr.: General
22 August 2011

Original: English

Identical letters dated 17 August 2011 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write again to draw your attention to the escalating fire of rockets and mortars at Israel from the Gaza Strip.

Since I last wrote to you, on 9 August 2011 (see S/2011/504), a rocket and some six mortars have been fired into southern Israel. On 15 August 2011, a rocket launched from Gaza exploded in the immediate vicinity of Be'er-Sheva — the largest city in southern Israel and the home of nearly 200,000 people. It is only by chance that these most recent attacks did not cause civilian casualties. With rockets continuing to rain down on our major cities, Israel cannot and will not rely on good luck to defend its citizens. Israel has exercised and will continue to exercise its right to self-defence, as appropriate, and will take all necessary measures to protect its citizens.

Israel holds the Hamas terrorist organization fully responsible for all attacks emanating from Gaza, where it remains in de facto control. So far, Palestinian unity is a virtual reality. In the real world, Palestinian rockets continue to be aimed at kindergartens, homes and hospitals in Israel.

The attacks of the past week continue a troubling escalation of these acts of terrorism, which deliberately target Israeli civilians and alter the fabric of their daily life. In the past month alone, some 29 rockets and mortars have been fired into Israeli communities. From schoolyards to backyards, all areas of southern Israel are under constant threat of attack. Indeed, an entire generation of children is being raised under the spectre of ever present rocket fire from Gaza, from which Israel withdrew completely in 2005.

While the world talks about an alleged humanitarian crisis in Gaza, Hamas smuggles Mercedes-Benz sedans and designer clothes into the area. However, it is not only luxury goods that are smuggled into Gaza, but also first-class missiles. The illegal smuggling of arms fuels the violence that continues to flow from Gaza. Preventing this illegal activity is an integral aim of Security Council resolution 1860 (2009) but it receives hardly any attention from the international community.

The rocket fire emanating from Gaza represents a flagrant violation of international law and must be addressed with the utmost seriousness. Israel expects the Security Council, the Secretary-General and the international community to condemn all of these attacks immediately and unequivocally. The People of Israel,

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like any other people, deserve to hear these acts of terror condemned with a loud and clear voice. Silence is not an option.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Ron **Prosor**
Ambassador
Permanent Representative

United Nations A/ES-10/528–S/2011/521

General Assembly
Security Council

Distr.: General
17 August 2011

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-sixth year

Identical letters dated 17 August 2011 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Once again, Israel, the occupying Power, is grossly confirming its insistence on continuing to pursue its illegal, expansionist agenda in the Occupied Palestinian Territory, including East Jerusalem, rather than pursuing serious peace efforts that will bring an end to its insidious, illegitimate forty-four year belligerent military occupation of the Palestinian land since June 1967.

Following the recent announcements of the approval of plans for the construction of at least 2,500 new units in two illegal settlements in Occupied East Jerusalem, to which I referred in my recent letters of 8 and 11 August 2011 (A/ES-10/526-S/2011/500 and A/ES-10/527-S/2011/515), the Israeli Government declared, on 15 August, that the Defense Minister has approved plans for the further expansion of the illegal settlement of Ariel, established far beyond the pre-1967 borders, 22 kilometres deep into the central northern West Bank.

The plans provide for construction of at least 277 new units in that illegal settlement, with the declared intention of providing at least 100 of those units for Israeli settlers who had in the past been living in settlements in the Gaza Strip prior to the so-called "disengagement" carried out in 2005, who will now be again transferred illegally into the Occupied Palestinian Territory, as thousands of settlers like them have already been transferred, in grave breach of the Fourth Geneva Convention. The approval of these plans raises the total of new units approved in the illegal settlements to nearly 2,800 units in the span of just two weeks, revealing the intensity and extent of the occupying Power's attempts to further entrench these illegal settlements in the Occupied Palestinian Territory, including East Jerusalem, and to further alter the demographic composition and character of that Territory in order to forcibly and illegally prejudge the final outcome of a peace settlement, undermining the essence and foundation of the two-State solution based on the pre-1967 borders.

11-45687 (E) 190811

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Such illegal, unilateral actions constitute flagrant provocations that are stoking already-high tensions and frustrations among the Palestinian people as they continue to witness the confiscation and colonization of their land by Israel, the occupying Power, and are deepening the people's mistrust of the occupying Power, whose malicious intentions are repeatedly exposed by such illegal actions and policies. In this regard, we reiterate the total condemnation and rejection by the Palestinian people and their leadership of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, including, in particular, the construction of settlements and the Wall and the demolition of Palestinian homes and properties.

Furthermore, we reaffirm the international consensus position, firmly rooted in international law, that such colonization measures have no legitimacy whatsoever and will remain rejected and unrecognized by the international community. Indeed, Israel's continued pursuit of settlement activities constitutes a brazen challenge to the international community's repeated calls for a total cessation of all settlement activities in the Occupied Palestinian Territory, including East Jerusalem.

Israel's defiance of these international calls, including that of the Quartet of yesterday, 16 August 2011, whereby it issued yet another unequivocal demand for a complete cessation of settlement activities, must not be tolerated. Immediate and direct measures by the international community are needed to enforce international law. Failure by the international community, including the Security Council, to do so will only foster further Israeli impunity. As such, more than merely threatening the two-State solution on the basis of the pre-1967 borders, the continuation of Israel's illegal settlement campaign will make it physically and politically impossible to achieve the two-State solution.

The dangers are of the occupying Power's illegal, destructive course of action are manifold and require urgent redress if there is to be any chance to stop Israel's violations and the further deterioration of the situation on the ground and to salvage the prospects for achieving a peace based on the two-State solution in accordance with the relevant United Nations resolutions and the long-standing terms of reference of the peace process. The responsibilities and obligations of the international community, including of the Security Council, in this regard are clear and must be upheld. The time is now, and effective and serious international action must be undertaken.

Today, I must also draw your attention to the continuing Israeli military campaign against the Occupied Gaza Strip that continues to cause loss of civilian life and injuries. Yesterday, 16 August, the Israeli occupying forces carried out a series of air strikes against civilian areas in the Gaza Strip that targeted Gaza City, Khan Younis and Rafah. Those attacks resulted in the killing of one Palestinian man, Mousa Shteiwi, aged 29, and the wounding of several others, including a 6-year-old child. Such Israeli military operations continue to terrorize the Palestinian people in Gaza, further deepening their suffering under the blockade being cruelly and illegally imposed by Israel. Also yesterday, a Palestinian man, Amin Taleb Al-Dabash, aged 38, was killed when he was run over by a vehicle of the Israeli occupying forces in the Jabal Abu Ghneim neighbourhood of Occupied East Jerusalem. We condemn all such violent actions and reiterate the need for protection of the Palestinian civilian population in the Occupied Palestinian Territory.

This letter is in follow-up to our previous 399 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 11 August 2011 (A/ES-10/527-S/2011/515) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations S/2011/522

Security Council

Distr.: General
18 August 2011

Original: English

Letter dated 17 August 2011 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Despite our conviction and knowledge that reports on the human rights situation are considered within the appropriate forum of human rights that is the Human Rights Council in Geneva, and in the light of the briefing by the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, on the human rights situation in South Kordofan, I have the honour to enclose herewith a document containing the comments of the Government of the Sudan on the preliminary report on violations of international human rights and humanitarian law in South Kordofan from 5 to 30 June 2011 (see annex).

I have further the honour to request you to circulate the enclosed document as a document of the Security Council.

(*Signed*) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

11-45711 (E) 230811

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Annex to the letter dated 17 August 2011 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Comments of the Government of the Sudan on the thirteenth periodic report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Sudan, entitled "Preliminary report on violations of international human rights and humanitarian law in Southern Kordofan from 5 to 30 June 2011"

Introduction and general observations

1. First of all, the Government of the Sudan would like to point out that the thirteenth periodic report of the United Nations High Commissioner for Human Rights was entitled "Preliminary report on violations of international human rights and humanitarian law in Southern Kordofan from 5 to 30 June 2011" without mentioning "allegations", although the report contains mere undocumented testimonies and observations that cannot be considered as "violations", which indicates that the contents of the report are just a conclusion and a presumed final result of recent incidents that took place in the area during the mentioned time frame.

2. The report mentioned violations of international human rights law and humanitarian law that took place during the armed conflict between the Sudanese Armed Forces (SAF) and the so-called "militias affiliated to SAF" and the Sudan People's Liberation Movement (SPLM) in South Kordofan from 5 to 30 June 2011. It is worth mentioning in principle that a report describing the situation of human rights during armed conflict cannot attribute all the violations to one party of the conflict and exclude the other. The report rarely pointed out violations committed by the Sudan People's Liberation Army (SPLA). Surprisingly, the party that started the fighting inside the towns and caused the death of civilians was not blamed for these violations. This indicates double standards even when it comes to determining victims and aggressors.

3. This selective approach throughout the report contradicts all United Nations standards governing the monitoring of human rights situations, as well as the code of conduct of United Nations officers and human rights officers in the United Nations field offices.

4. The report mentions in the background paragraph that marginalization by the Government of the Sudan of the Nuba led them to join the SPLA. The report is based on a book by Alex de Waal and Yoanes Ajawin, published in London in 1995 entitled *Facing Genocide: The Nuba of Sudan*. This book reflects the political views of the writers, but it is unacceptable for the Office of the United Nations High Commissioner for Human Rights (OHCHR) to base its report on this book and use it as a reference. This leads to a determination of the victims and the aggressors at the beginning of the report and to ignoring and remaining silent with regard to all the violations committed by the alleged victim (SPLA).

5. The marginalization of the Nuba mentioned throughout the report was not true. The Nuba are well represented in all official institutions of the State, at all grades

and levels. In addition, their presence is not confined to this geographic part of the Sudan, they are present throughout the Sudan and they have never complained of marginalization during the previous Governments. Reference to marginalization is misleading and leads to escalating ethnic tensions and racism, which is prohibited by all the human rights standards.

6. The report referred to alleged large-scale violations in a way that cannot even be considered as a source of information, and concludes at the end of the paragraph by stating that this information was not verified, a method that lacks honesty and professionalism in preparing such reports.

7. During the reporting period, the Government of the Sudan, as will be indicated later, spared no efforts to provide the affected populations with rescue equipment and humanitarian assistance, but these efforts were not reflected in the report.

8. Although the report alleged that those who prepared the report met with officials in a number of institutions, including federal and state government authorities, it fails to mention all the measures taken by federal and state government authorities to overcome the impact of the incidents.

Background and alleged violations of international humanitarian law and human rights law (paras. 4-25)

9. This part of the report is full of fabricated allegations that contradict basic facts when it comes to the places, timing and dates on which incidents took place, in addition to false quotations from the comprehensive peace agreement and ignorance of the administrative system of South Kordofan, although the United Nations Mission in the Sudan (UNMIS) had been present in South Kordofan for six years.

10. The report provides information allegedly collected through field visits, interviews with victims and witnesses, meetings with politicians, religious and local leaders, internally displaced persons, UNMIS staff, members of voluntary organizations and some media sources, it is still inaccurate (as will be pointed out in some examples), which directly affect the credibility of the report.

11. Examples of the fabricated allegations:

(a) Fighting inside Kadugli did not start on 5 June 2011 as alleged in the report, but started outside Kadugli when the SPLA attacked the SAF on that same day in the Um Dorein area 35 km east of Kadugli at 8.15 a.m. (para. 14);

(b) There is no locality called Um Battah (para. 16). Um Battah is a neighbourhood in Kadugli and there is no military area with that name;

(c) The Joint Integrated Units were established according to provisions of the comprehensive peace agreement, they are equally divided between the SPLA and the SAF; the Sudan People's Liberation Army-North (SPLA-N) forces referred to in the report do not exist. This indicates clearly fabricated information by UNMIS (para. 5);

(d) It is impossible to conduct aerial bombardments against Kadugli and Eldalang and to target civilians because the two cities are under the control of the SAF and Kadugli is the capital of South Kordofan State; in addition, the protection and security of civilians and their property lies with the SAF;

(e) When reporting the killings of ethnic Arabs, the report referred to an unknown armed group, to avoid criminalizing the SPLA, although it provides all details regarding the source of the other attacks; such an attitude reflects a clear and deliberate selectivity.

12. Contrary to what was mentioned in paragraph 8 of the report, the situation inside Kadugli was normal on 5 June. The SAF did not block the major roads to Abdelaziz ElHilu's house, but had been trying to open them. All roads leading to his house were blocked by the SPLA and planted with mines. There was no fight at all; this was evidenced by the arrival of a high-level committee from Khartoum on 6 June 2011 composed of leaders from the SPLM and the National Congress Party, and there were no orders to disarm the SPLA by force, which could have led to a direct attack, which did not happen.

13. Paragraph 9 of the report alleged that the SAF attacks on Kadugli resulted in the displacement of thousands of civilians, who consequently took refuge in churches, hospitals and UNMIS compounds, but since the SAF are inside Kadugli it is illogical and unlikely that the attacks against the city come from the SAF, but from the other party, which is the SPLA.

14. Paragraph 13 refers to extrajudicial killings, which is not in line with the nature and professionalism of the SAF, which has always been very disciplined and committed to national military rules and international humanitarian law during war. The SAF conducts high-level training programmes in coordination with the International Committee of the Red Cross (ICRC), and the military law is very strict in making anyone who violates the law accountable, an example of that is in Darfur. In addition, half of the SAF forces in South Kordofan are originally from the Nuba tribe and the Commanding General of Operations in the Sudanese Army is also from the Nuba tribe.

15. Paragraph 14 mentioned false information about the killing of some civilians on 6 June, but, as mentioned previously, the fighting actually started on 7 June inside Kadugli, therefore talking about civilian casualties in need of any medical care on that day is not true.

16. The response provided in paragraph 15 above also applies to paragraph 15 of the report. Furthermore the SAF did not launch air attacks targeting any residential areas inside Kadugli.

17. The number of casualties provided in paragraph 16 of the report is based on the testimony of one person, who estimated that the number of people killed inside the SAF compound was 150. This testimony is illogical because that person should not have been released to reveal this information if such a crime had taken place inside the compound.

18. What was mentioned in paragraph 18 by some internally displaced persons, who testified that one citizen was killed in the police hospital in Kadugli, was not true. The two persons killed outside the hospital were SPLA personnel wearing civilian dress; they were killed following an exchange of fire with the police and a police officer was also shot. This incident was reported and documented in police records in Kadugli.

19. Paragraph 19 of the report contains mere allegations without any proof.

20. The SAF was not involved in any way in the killing of the UNMIS contractor who was also a member of the SPLM, as mentioned in paragraph 17. If that person was an active SPLM member, it would have been useful to interrogate him in order to obtain information instead of killing him. What was mentioned in paragraph 14 above can also be added as a response to this incident.

21. The AlFaid area was not the scene of any incidents, and the SAF was very far from the area. It witnessed some tribal tensions during the election, which were brought under control. On 14 June 2011 this area did not witness any fighting, as indicated in paragraph 20 of the report, which indicates clearly that there is deliberate confusion from the source of the information.

22. The response provided in paragraph 5 above applies to paragraph 21.

23. Paragraph 22 mentioned the existence of mass graves in Elgrood area, but the truth is that the bodies of some military members from both sides were buried. This was done by volunteers of the Sudanese Red Crescent with the support of ICRC after fulfilling all the required legal procedures.

24. The area mentioned in paragraph 23 of the report, which was described by the witness as a mass grave, is a residential and inhabited area that extends from the headquarters of the Fourteenth Division to the market area, it is not an empty area that can be used as a cemetery, since any civilian can notice it. UNMIS can also make a field visit to the area to verify the information instead of depending on the allegations of one witness.

25. What was mentioned in paragraph 25 of the report, that both the SAF and the SPLA laid anti-personnel mines, is not true. The SPLA mined areas inside Kadugli and on the road from Kadugli to Elrosairis and in the Taloudi area; these acts took place on 6 June. The SAF helped to clear the area in Hajar Elnar and also the road from Rosairis to Kadugli. The SAF also received 17 anti-tank mines, which the SPLA intended to plant in areas around Hajar Elnar. Some mines were found with a non-governmental organization called NCA, known to provide support to the SPLM.

Indiscriminate killings and use of prohibited weapons (paras. 26 and 27)

26. Paragraph 26 mentioned unconfirmed reports of the use of chemical weapons by the SAF against civilians, which is totally incorrect. The SAF is forbidden by virtue of its law and regulations from using such weapons.

27. What was mentioned in paragraph 27, about aerial bombardments targeting civilians, was also not true. The truth is that SAF attacks targeted specific areas of the SPLA using the right to self-defence and also to protect the civilians and, at the same time, to minimize the impact of SPLA attacks on civilians (only two persons were killed, which proves that this was done to the minimum). Cities with civilians like Kadugli and Aldalang were not targeted and the UNMIS compound in Kauda was not affected, instead reports were received from the Head of Sector IV about cases of fainting and hysteria, which were positively responded to by the SAF and permission was given upon UNMIS request to evacuate those persons from Kadugli. UNMIS flights from Kadugli to Kauda use helicopters that can use any runway.

28. The same response to paragraph 27 above applies to paragraph 29 of the report.

Forced disappearances, arbitrary arrests and illegal detention (paras. 30-36)

29. Paragraph 80 talked about targeting Christians, which is not true. The SAF never targeted Christians or their churches. Peaceful coexistence is one of the characteristics of this State; in addition, many of the officers in the regular forces are also Christians. Also, the SAF cannot be responsible for the disappearance of any person during the incidents and the checking of identification documents is a normal security procedure in such circumstances.

30. There is no Arab militia in Kadugli, nor looting or attacking civilians as indicated in paragraph 31 of the report. Neither before nor during the incidents.

31. Paragraph 32 of the report mentioned that the SAF raided houses to search for SPLA members or supporters. The SAF received reports about weapons in places that used to be SPLA locations, and it was the task of the SAF to verify these reports to ensure security and stability in the area.

32. Paragraph 28 above provides the answer for paragraph 33 of the report.

33. What was mentioned in paragraph 34 was not true.

34. Paragraph 37 was a repetition responded to in paragraph 21.

35. Paragraph 41 was not true. On 6 June the situation in Kadugli was very calm. Anglican and Catholic churches were never targeted. On the next day, all regular forces that were in place since that morning witnessed the beginning of fighting inside Kadugli between the SPLA (on the mountains surrounding Kadugli) and the SAF, the police and security forces, and any bombing affecting a church would have been caused by the SPLA, who were in the mountains surrounding Kadugli.

36. What was mentioned in paragraph 44 was not correct. The relationship with UNMIS was excellent before the incidents. Following the escalation of fighting, the SAF remained in regular contact with the Head of Sector IV, who visited the headquarters of the Fourteenth Division more than once and welcomed the coordination and the cooperation of the SAF in such an exceptional situation. The SAF never controlled the fuel of UNMIS; the Head of the Sector apologized to the SAF for the misunderstanding after verification of the incorrect information. The food storage facility was guarded by officers from the SAF because the supplying company had the SPLM emblem on the cars' number plates hidden by the United Nations emblem. One of the members of the company (an Indian national) tried to destroy the cars' number plates to hide this relationship. In spite of all these facts, UNMIS continued to have access to the storage facility until they took all the supplies.

37. As regards information provided in paragraph 45, about arresting and beating three personnel assisting UNMIS and the threatening of UNMIS officers by some SAF members, this is not true because, as the fighting continued, no SAF forces were stationed outside the compound and there were no checkpoints established inside the town.

38. With regard to the information in paragraph 46, stating that one national staff of UNMIS was shot: the SAF was not responsible for that. That person was hospitalized in Kadugli military hospital and transferred later to Khartoum and is now in good health.

39. Paragraph 48 of the report talked about the displacement of residents of Kaiga area to a place near UNMIS, which is also not true. Kaiga is an area north of Kadugli and logically it is impossible to move to the south while everyone is moving to the north, to Aldalang and ElObied, running away from the fighting. In addition, the SAF has no presence in Kaiga and there is no place named Um Battah military area.

40. Paragraph 50 of the report talked about the mistreatment of a UNMIS patrol composed of four members including a Jordanian major, who arrived at the headquarters of the Fourteenth Division without prior notice from Sector IV. The Head of the Sector was questioned and he stated that he was not aware of the patrol, the main purpose — given the situation in the area — was to enhance coordination and ensure the safety and security during their movement. They were taken to the nearest national monitoring officers and then released. All statements mentioned in this paragraph were fabricated.

41. What was mentioned in paragraph 52 about aerial bombardments was a repetition and never happened, neither inside Kadugli nor in the surrounding area. Fire and looting are part of the insecurity situation caused by the SPLA. The SAF never destroyed houses using bulldozers since they do not have any in Kadugli.

42. What was mentioned in paragraph 53 of the report was a legal procedure with the agreement of the Head of Sector IV. Since a number of national staff are accused of involvement in some security incidents, the SAF requested that the identity of all passengers to Wau be checked. Of the 20 national staff, only 6 were detained. Five were released, two were Christians, one was a priest and all were Nubas. The SAF received acknowledgement from the Head of Sector IV and from released persons of the good treatment received during detention. One person is still detained and will be brought before a court.

43. Paragraph 54 is a repeated paragraph, responded to in paragraph 36 above.

Forced displacement and involuntary return

44. Paragraph 37 of the report claims that villagers from the village of Umber, exclusively inhabited by Nuba tribes, were displaced. The report did not mention the displacement of citizens from the other neighbouring villages (Alfeid, Tomy, Khour-Aldilaib and Umbrimbeeta), inhabited by Arab tribes, although they were all displaced on the same day, 10 June 2011, as a result of the military confrontations that took place in the villages of Azrag, Algimaizaya and Umbrtabou. Villagers from Umbrimbeeta, Umber and part of Khour-Aldilaib who fled to Abu-Karshula were provided humanitarian assistance and returned to their villages by late June.

45. Paragraph 38 referred to the displacement of 11,000 people from Kadugli on 20 June 2011, though the displacement from Kadugli began on 6 June 2011, following the events. On 20 June 2011 those who were displaced to Alshaeir near UNMIS returned to Kadugli. As a result of the events that took place in Kadugli, on 6 June 2011 approximately 13,722 people fled on a daily basis to the area of Alshaeir near the UNMIS compound outside the city. The Humanitarian Aid Commission of the State held a coordination meeting with the United Nations agencies (World Food Programme (WFP), United Nations Children's Fund (UNICEF), World Health Organization, Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Population Fund (UNFPA)

and Office for the Coordination of Humanitarian Affairs), the International Organization for Migration (IOM), the Sudanese Committee of the Red Crescent and the Mubadiroun National Organization, and it was agreed after the meeting to provide urgent humanitarian assistance to those affected.

46. In addition to the urgent aid provided by the Government of the Sudan and the Humanitarian Aid Commission, the following was done:

- Provision of a one-month supply of food by WFP to be distributed by the Sudanese Committee of the Red Crescent
- Provision of shelter materials (rainproof blankets, cooking utensils, sheets, water containers, mosquito nets and soap) by UNICEF, IOM, UNHCR and the Joint Supply Centre, and distributed by the Sudanese Committee of the Red Crescent
- Water: provision of eight tankers from UNMIS and three plastic containers with a capacity of 3,000 cubic litres by UNICEF
- Sanitation: setting up of 150 public toilets by UNMIS, UNICEF and UNFPA, as well as two mobile clinics provided by the state ministry of health
- Security services and child protection: provision of support by UNICEF and UNHCR

47. All those services were carried out under the supervision and coordination of the Humanitarian Aid Commission in the State and with a follow-up from the United Nations agencies.

48. Following the end of military confrontations on 20 June and the return of calm to Kadugli, the government of the State started mine-clearing operations, securing and protecting civilians and their properties by the police and restoring the infrastructure to the city (water, electricity, hospitals). Trade and grocery stores reopened their doors, internally displaced persons starting to voluntarily return to their houses. Elders and those with special needs called for help to be transported, thus the government of the State provided them with the necessary means of transportation to the city.

49. Concerning paragraph 39 of the report, the Humanitarian Aid Commission, after the return of the displaced to the city, carried out a joint survey involving the United Nations agencies in the city, the national organizations and the relevant government institutions so as to determine the needs of the returnees in the city. Based on this survey, the participants agreed to provide the needed assistance and basic services as follows:

- Provision of food for 12,000 returnees for a whole month by WPF, distributed by the Sudanese Committee of the Red Crescent
- Refurbishment and rehabilitation of 63 water pumps by UNICEF and IOM, jointly implemented by the Water Corporation and Environment Sanitation of the State
- Rehabilitation of a rainwater collection station (Donki) by IOM
- Setting up of 180 toilets by UNICEF and IOM in cooperation with the Water Corporation and Environment Sanitation of the State

- Provision of non-food materials for 7,000 families by IOM and the United Nations Joint Logistics Centre (rainproof blankets, cooking hardware, sheets, water containers, mosquito nets and soap) distributed by the Sudanese Committee of the Red Crescent with the participation of the organizers
- Provision of medicine and first aid kits for seven clinics in the city by WHO and the State Ministry of Health
- A programme was developed to protect and reunite children with their families by UNICEF and the State Ministry of Social Affairs
- Absorption of the sons of displaced people in the schools of Kadugli and provision of study materials by UNICEF, Save the Children Sweden and the Ministry of Education

Conclusion

50. At the end of its comments on the report of OHCHR, the Government of the Sudan expresses its rejection and deepest resentment at the unprofessional method adopted in collecting and formulating the information concerning the events that took place in South Kordofan lately, which contradict the international standards followed in monitoring the situation of human rights. The Government of the Sudan has come under a treacherous attack against its constitutional legitimacy and its elected Government. What the SPLA/M did in South Kordofan is both a political and military coup on the elections' results held in South Kordofan, which were considered to be fair elections according to national and international observers.

51. The report is riddled with flaws and assumptions not based on logical and objective findings, which in most cases contradict the facts on the ground, as mentioned above.

52. The Government of the Sudan firmly believes that this report does not really reflect the situation of human rights in the said time and place, consequently it cannot be considered as a reference for adopting any procedures or measures based on the content of the report.

53. This report and the way it was worded does not help the Government of the Sudan to take the right measures and it does not encourage cooperation with any future procedure based on this report.

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Letter dated 15 August 2011 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 12 August 2011, addressed to you by Mr. Sertaç Güven, Chargé d'affaires a.i. of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly under agenda item 43, and of the Security Council.

(*Signed*) Ertuğrul **Apakan**
Permanent Representative

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Annex to the letter dated 15 August 2011 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a copy of the letter dated 11 August 2011 addressed to you by His Excellency Dr. Derviş Eroğlu, President of the Turkish Republic of Northern Cyprus (see enclosure).

I would be grateful if the text of the present letter and its enclosure could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Sertaç **Güven**
Chargé d'affaires a.i.
Turkish Republic of Northern Cyprus

Enclosure

You must no doubt be aware of the recent official statements by the Greek Cypriot side announcing that drilling for underwater natural resource exploration to the south of the island will commence at the beginning of October. In this connection, I would like to bring the following to your kind attention.

At the outset, I wish to reiterate that the Greek Cypriot administration, which purports to be the "Government of the Republic of Cyprus", has no legal or moral right to represent or act on behalf of the Turkish Cypriot people or the whole island. This also extends, inter alia, to the signing, by the Greek Cypriot administration, of bilateral agreements with the countries of the region, particularly agreements related to sovereignty, such as the delimitation of maritime jurisdiction areas or exclusive economic zones and conducting oil/natural gas exploration activities in the eastern Mediterranean before the settlement of the Cyprus issue.

As the politically equal co-founding partner of the 1960 Republic of Cyprus, destroyed by the Greek Cypriots in the name of union with Greece, the Turkish Cypriots, who will again be the political equal of the Greek Cypriots in any future comprehensive settlement, certainly have an equal right and say on the natural resources of Cyprus, including in sea areas of the island. It is also an established understanding in the negotiations, including the current process, that issues related to the delimitation of maritime jurisdiction areas of the island of Cyprus will be left to the discretion of the new partnership government, where Turkish Cypriots and Greek Cypriots will share power on the basis of political equality.

It will be recalled that the attempts by the Greek Cypriot administration to create a fait accompli in the eastern Mediterranean through unilateral acts such as delimitation of maritime jurisdiction areas and the conducting of oil/natural gas exploration activities have already been brought to your attention through our repeated representations. As is known, the Greek Cypriot administration signed maritime delimitation agreements with Egypt as early as 2003, with Lebanon in 2007 and with Israel on 17 December 2010, to which both the Turkish Cypriot side and Turkey have registered their objections with the United Nations.

It has also been put on record that, in accordance with international law, the Greek Cypriot administration has no right to conclude bilateral agreements to delimit maritime jurisdiction zones, or to conduct exploratory surveys or drilling activities in the eastern Mediterranean. As known, the delimitation of the continental shelf or the exclusive economic zone in a semi-enclosed sea, such as the eastern Mediterranean, can only be effected by the agreement of all parties and taking into account the rights and interests of all concerned under international law.

In spite of the foregoing, our legitimate objections and warnings have gone unheeded and the Greek Cypriot administration has continued its unilateral acts, violating the legitimate rights of the Turkish Cypriot people, challenging neighbouring countries' maritime jurisdiction areas and, thus, threatening to undermine stability in the eastern Mediterranean.

The latest announcement by the Greek Cypriot administration to the effect that drilling for natural resource exploration to the south of the island is scheduled to start in October 2011 has taken the Greek Cypriot provocations in this respect to a new and dangerous level. At a time when negotiations are continuing to determine the future of the island together, such unilateral acts, apart from escalating tension,

have a serious negative impact on the ongoing process, adversely affecting the atmosphere between the two negotiating parties. I am sure you will agree that the timing of this act is particularly unfortunate, as it coincides with a critical, perhaps even decisive, phase of the negotiations, as we prepare for the tripartite meeting in October under your auspices. What is more, exploration and exploitation of offshore hydrocarbon resources by the Greek Cypriot administration cannot be simply viewed or presented as mere economic activities amid the current negotiation process, since such activities have the potential to fundamentally change the parameters on the ground and destroy the existing window of opportunity for a comprehensive solution.

I wish to reiterate that the recent provocative actions and statements of the Greek Cypriot side are casting serious doubts on its sincerity to negotiate and conclude a comprehensive settlement in the foreseeable future. I hope that the international community, in awareness of the above, uses its influence to convince the Greek Cypriot side to cease its unilateral activities regarding the natural resources of the island until the achievement of a mutually agreed settlement on the island and to adopt a more constructive attitude. Moving contrary to this path will serve no other purpose than increasing tension and damaging prospects for a settlement.

As the Turkish Cypriot side, we are determined to continue our constructive stance and to direct all our efforts towards concluding the present negotiating process with a mutually acceptable comprehensive settlement. I sincerely believe that a final solution of the Cyprus question is within our reach under your mission of good offices if the Greek Cypriot side decides to reciprocate in the same spirit, instead of engaging in activity that is not compatible with this objective.

(*Signed*) Derviş **Eroğlu**
President

United Nations S/2011/524

Security Council

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Letter dated 17 August 2011 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

It gives me great pleasure to inform you that the Minister of Justice of the Republic of the Sudan has issued a decree, on 16 August 2011, establishing a committee to assess the human rights situation as well as compliance with the international humanitarian law in South Kordofan in the wake of the recent incidents triggered by the Sudan People's Liberation Army after the failure of their candidate to win the post of governor of the state last May.

The committee comprises all the relevant Ministries and Government bodies, under the chairmanship of the rapporteur of the consultative council of human rights.

The decree authorizes the committee to collect information and documents and verify them; visit camps of displaced persons and conduct interviews with the residents; and seek the views of local authorities and citizens.

The decree also made it possible for the committee to seek the assistance of whoever it deems appropriate to carry out its assignment and to submit its report within two weeks of the date of commencing its work.

Having brought this matter to your kind attention, I request that the present letter be circulated as a document of the Security Council.

(*Signed*) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

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